

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARTIN LEAF,

Plaintiff,

v.

NIKE INC., et al.,

Defendants.

Case No. 2:20-cv-11491

HONORABLE STEPHEN J. MURPHY, III

ORDER DISMISSING DEFENDANT TWITTER WITHOUT PREJUDICE

More than five months ago, the Clerk of the Court issued a summons for Defendant Twitter. ECF 12. By rule, Plaintiff was to have served Twitter by September 10, 2020. *See* Fed. R. Civ. P. 4(m). But there is no evidence on the docket that Plaintiff has served Twitter. The Court therefore ordered Plaintiff to show cause by November 30, 2020 why the Court should not dismiss the case against Twitter for failure to timely serve. ECF 58, PgID 1805. Plaintiff has not responded. The Court will therefore dismiss the complaint against Twitter for failure to prosecute. Because Twitter was the last remaining Defendant, *see* ECF 41, 53, 58, the Court will also close the case.

WHEREFORE, it is hereby **ORDERED** that Defendant Twitter is **DISMISSED WITHOUT PREJUDICE**. This is a final order that closes the case.

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: November 30, 2020

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 30, 2020, by electronic and/or ordinary mail.

s/ David P. Parker
Case Manager